

**Affidavit of Hermen Kahana**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CONGREGATION RABBINICAL COLLEGE OF  
TARTIKOV, INC., RABBI MORDECHAI BABAD, RABBI  
WOLF BRIEF, RABBI HERMEN KAHANA, RABBI MEIR  
MARGULIS, RABBI GERGELY NEUMAN, RABBI  
MEILECH MENCZER, RABBI JACOB HERSHKOWITZ,  
RABBICHAIM ROSENBERG, RABBI DAVID A. MENCZER,  
RABBI ARYEH ROYDE, and KOLEL BELZ OF MONSEY,

07 Civ. 6304 (KMK)(GAY)

**AFFIDAVIT IN  
OPPOSITION TO  
DEFENDANTS'  
MOTION TO DISMISS**

Plaintiffs,

-against-

VILLAGE OF POMONA, NY; BOARD OF TRUSTEES OF  
THE VILLAGE OF POMONA, NY; NICHOLAS SANDERSON,  
AS MAYOR; IAN BANKS, ALMA SANDERS ROMAN,  
RITA LOUIE and BRETT YAGEL, AS TRUSTEES  
AND IN THEIR OFFICIAL CAPACITIES,

Defendants.

-----X  
STATE OF NEW YORK     )  
                                  )  
COUNTY OF ROCKLAND )

Hermen Kahana affirms the following under penalty of perjury:

1. I am a plaintiff in this action. I reside in Monsey, New York, with my wife and 7 children, and am 42 years old. I am a rabbinical judge in the Bais Din of Mechon L'Hoyroa in Monsey, New York.
2. I completed a fifteen-year program of study at Mechon L'Hoyroa to become a rabbinical judge. The program included all four books of the *Shulchan Aruch* and not just the first two books, which are commonly studied in four or five years.
3. My religious faith requires me to pass along the knowledge and wisdom that I have acquired to a new generation of rabbinical judges. There are not enough rabbinical judges to serve all of the Jewish communities that need them.

Without passing along the knowledge and wisdom that I have acquired, our complex religious laws will no longer be known and understood.

4. I sincerely believe that there is a significant religious need for rabbinical judges in the Orthodox Jewish community and that the Rabbinical College is necessary to satisfy that need.

5. Because of the shortage of programs for rabbinical judges, this need for such religious education goes unfilled, contrary to my religious beliefs. I have been selected and approved by the Congregation Rabbinical College of Tartikov ("Rabbinical College") to be a lecturer when the College opens in Pomona. If the Rabbinical College does not open, there is no place for me to lecture to continue our tradition.

6. Without a program where I can lecture to rabbinical scholars, my religious beliefs cannot be fully realized.

7. Because of the teaching environment, I also plan on residing at the Property so that I can be available for the students during all times of instruction which goes throughout the day and night.

8. I affirm this affidavit pursuant to my religious beliefs.

  
RABBI HERMEN KAHANA

Affirmed before me on this 10  
day of January, 2008

  
Notary Public

MOSHE E. MALIK  
Notary Public, State of New York  
No. 4961978  
Qualified in Rockland County  
Commission Expires Feb. 12, 2010